

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,	:	
	:	
	:	
v.	:	Criminal Action No. 07-118-SLR
	:	
JODY CHUBBS,	:	
	:	
Defendant.	:	

**JOINT MOTION TO CONTINUE AND TO EXCLUDE TIME UNDER THE SPEEDY  
TRIAL ACT**

The United States, by and through its undersigned attorneys, and the defendant, Jody Chubbs, by and through her attorney, Eugene Maurer, Esquire, hereby move to continue the trial currently scheduled for April 21, 2008, and to exclude time under the Speedy Trial Act, in the interest of justice, pursuant to 18 U.S.C. § 3161(h)(8)(A). The grounds for this Motion are as follows:

1. On August 7, 2007, the defendant was charged by criminal complaint with a scheme to defraud in violation of 18 U.S.C. § 1344.
2. On September 4, 2007, the grand jury for the District of Delaware returned a seven-count indictment charging the defendant with five counts of bank fraud, in violation of 18 U.S.C. § 1344 and 2, false use of a social security number, in violation of 42 U.S.C. § 408(a)(7)(B), and one count of aggravated identify theft in violation of 18 U.S.C. § 1028A(1).
3. On November 6, 2007, the grand jury for the District of Delaware returned a superseding indictment, adding an additional eight counts, which included one additional count of bank fraud, in violation of 18 U.S.C. § 1344(2) and (2), and six counts of credit card fraud, in violation of 18

U.S.C. § 1029(a)(5).

4. Trial on these charges is currently scheduled to begin April 21, 2008.
5. Over the past three months, the Government submits that it has obtained new evidence of additional bank, credit card, and identity theft fraud committed by the defendant, which could form the basis of further charges.
6. Defense counsel and the Government agree that more time would assist both parties in further investigating this additional, recently discovered evidence.
7. Moreover, defense counsel and the Government are in the process of discussing whether there could be a non-trial resolution to this case, and the parties agree that additional time would benefit these negotiations.
8. Therefore, the parties respectfully submit that a continuance of the trial and the exclusion of time would serve the ends of justice under 18 U.S.C. § 3161(h)(8)(A).

WHEREFORE, the parties respectfully request that the Court continue the trial and exclude time between the filing of this motion and the new trial date. A proposed form of order is attached.

Respectfully submitted,

COLM F. CONNOLLY  
United States Attorney

BY:

  
Ilana H. Eisenstein  
Assistant United States Attorney

DATED: March 17, 2008

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**ORDER**

IT IS HEREBY ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2008, that the trial originally set for April 21, 2008, is continued; and

IT IS FURTHER ORDERED that the time from today's date until the date of the new trial is excluded under the Speedy Trial Act, and that such an exclusion is in the interests of justice, under 18 U.S.C. § 3161(h)(8)(A).

\_\_\_\_\_  
Honorable Sue L. Robinson  
United States District Judge